

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

STEVEN KINFORD,)	3:11-cv-00701-RCJ-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	February 16, 2012
)	
BANNISTER, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: JENNIFER COTTER REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court are a series of motions filed by plaintiff: Plaintiff's "Motion to Extend Copywork Limit" (Doc. #12); "Motion for Order to Proceed" (Doc. #19); "Motion for Clerk to Enter Default Judgment" (Doc. #20) and "Notice to the Court" (Doc. #23), which the Court interprets as a Motion to Withdraw.

**1. Motion to Extend Copywork Limit (Doc. #12) and
"Notice to the Court" (Motion to Withdraw) (Doc. #23)**

On January 10, 2012, plaintiff filed a "Motion to Extend Prison Copy Work Limit" (Doc. #12). Subsequent thereto, on February 15, 2012, plaintiff filed a "Notice to the Court" (Doc. #23) wherein plaintiff states he no longer needs the extra copy work extension as he "received some unexpected money." Plaintiff's "Notice" (Doc. #23) is therefore be interpreted as a motion to withdraw his request to extend prison copy work limit (Doc. #12).

Good cause appearing, plaintiff's Motion to Withdraw (Doc. #23) is **GRANTED** and his Motion to Extend Prison Copy Work Limit (Doc. #12) **is deemed withdrawn.**

2. Motion for Order to Proceed (Doc. #19)

On February 9, 2012, plaintiff filed a "Motion for Order to Proceed" (Doc. #19) wherein he correctly notes that the case was stayed for 90 days pending the outcome of mediation, and that the 90 day stay ended on January 25, 2012. Inasmuch as the stay has now been lifted, the case is proceeding. Therefore, plaintiff's "Motion for Order to Proceed" (Doc. #19) is **DENIED as moot.**

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3. Motion for Clerk to Enter Default Judgment (Doc. #20)

Plaintiff's "Motion for Clerk to Enter Default Judgment" (Doc. #20) was also filed on February 9, 2012. Therein plaintiff seeks entry of default as against defendant Phillip Schlager, M.D., stating that defendant Schlager was served with a copy of the plaintiff's complaint on November 23, 2011. A review of the court's docket reflects that on November 29, 2011, plaintiff filed a "Proposed Waiver of Service of Summons" (Doc. #7). The Waiver of Service of Summons appears to be signed by plaintiff himself, rather than by defendant Schlager. No Affidavit of Service is on file.

Plaintiff's unresolved "Motion for Clerk to Enter Default Judgment" (Doc. #20) will be the subject of the hearing previously scheduled for February 28, 2012, at 1:30 p.m.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: _____ /s/
Deputy Clerk